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August 3, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

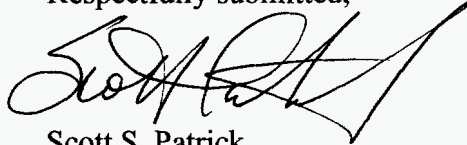
Re: MB Docket No. 03-15  
WPXJ-DT (Batavia, New York)  
Facility ID No. 2325  
FCC File No. BPCDT-19990326KE  
Request for Waiver of August 4, 2005 DTV Construction Deadline

Dear Ms. Dortch:

Paxson Batavia License, Inc. ("Paxson"), licensee of WPXJ(TV) (Batavia, New York) (the "Station"), by its attorneys, hereby requests waiver of the Commission's August 4, 2005 DTV construction deadline as set forth its *Second DTV Periodic Review Report and Order*.<sup>1</sup> On August 1, 2005, Paxson received "flash cut" authority for the Station,<sup>2</sup> which allows the Station to forego construction of digital facilities on the paired allotment and thus obviates the need for compliance with this deadline. Accordingly, to the extent necessary, Paxson requests waiver thereof.

Please contact the undersigned if you have any questions regarding this matter.

Respectfully submitted,



Scott S. Patrick

cc: Shaun Maher (FCC)

<sup>1</sup> Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, MB Docket No. 03-15, 19 FCC Rcd 18279, ¶ 111 (rel. Sept. 7, 2004).

<sup>2</sup> Letter to Paxson Batavia License, Inc., DA 05-2224 (August 1, 2005).